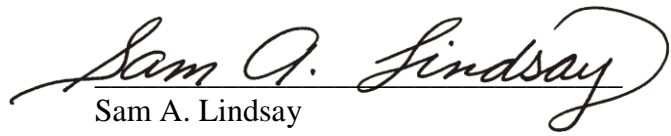


therefore, **overrules** Petitioner's objections to the Report. Accordingly, the court **dismisses** the petition **without prejudice** to Cloud's right to pursue available state court remedies.

Given that this case is construed as seeking relief under 28 U.S.C. § 2241, the court notes that no certificate of appealability is required to appeal. *See Ojo v. I.N.S.*, 106 F.3d 680, 681 (5th Cir. 1997). In the event Petitioner will file a notice of appeal, the court notes that he must pay the filing fee of \$505 or file a motion for leave proceed *in forma pauperis* on appeal.

It is so ordered this 25th day of April, 2016.


Sam A. Lindsay
United States District Judge